

## Nadler Statement on GOP Resolution to Curb the Free Press

Wednesday, 28 June 2006

WASHINGTON, D.C. &ndash; The House of Representatives today considered a Republican resolution to chastise the New York Times and other publications for reporting on the Bush Administration's unlawful intelligence-gathering activities. The nakedly political resolution, H.Res. 895, consists of generalizations and platitudes about the war on terrorism, but does not at all address the core of the issue: that freedom the press is guaranteed by the Constitution, regardless of resentment by an embarrassed and mistrusting administration.

&ldquo;Is it espionage to tell the American people that the President is breaking the law?&rdquo; Congressman Nadler asked in his remarks opposing the resolution. &ldquo;Is it treason to report the truth? Of course not. It is the duty of a free press to tell the truth&mdash;especially when people in power would prefer that the American people be kept in the dark.&rdquo;

Congressman Nadler's complete remarks follow.

&ldquo;Mr. Speaker, today we see how a great nation loses its freedom.

This resolution seeks to chill free speech by punishing the New York Times and other publications for doing their job. That is unacceptable and, frankly, beneath the dignity of the United States Congress. All of us here took an oath to support and defend the Constitution. Yet those pushing this resolution seek to do just the opposite: to batter the Constitution's most hallowed pillar, the right of free speech and a free press.

Rampant lawbreaking by the government, secrecy and selective leaks of classified information to cover up that illegality, and threats of retaliation and prosecution against anyone who dares to tell the truth.

How has the Republican Congress responded? Have they lived up to their responsibility to get to the truth? To subpoena administration officials or records? To hold anyone accountable?

No. The lapdog Republican Congress has worked hand and glove with the Karl Rove White House to cover up the administration's lies and crimes. The Republican Congress, with the chorus of cooperating media, has helped the administration retaliate against anyone who challenges them or tries to tell the American people the truth.

Does Osama bin Laden know that we had tapped into his phone lines? Of course. The administration leaked it to the Washington Times which published it. Any outrage here? No.

Did the White House leak the name of a CIA agent to friendly reporters to retaliate against a critic? Yes. Did the President promise to fire anyone who leaked? Yes. Now that we know it was the Vice President and Karl Rove, did the President make good on his promise? Of course not.

Does anyone here really think that Osama bin Laden didn't assume we were tracking bank transactions? Administration officials have testified before Congress that they did, and, for those members who read bills before they vote, we required the administration to do just this in the PATRIOT Act. Not a big secret.

Do you really think the terrorists didn't know we would be tapping their phones? The only people who were kept in the dark were the American people who were never told that their privacy was illegally being invaded by the government. Bin Laden doesn't care if the government gets a warrant, but law abiding citizens should and they have a right to know that, even if the President tries to cover it up.

If the President breaks the law and covers it up, if the Congress refuses to get the truth and joins the cover-up, then the free press is the only guardian of truth and democracy. That is why Thomas Jefferson said he would prefer a free press without a government to a government without a free press.

Free speech and a free press are what keep a nation free.

Is it espionage to tell the American people that the President is breaking the law? Is it treason to report the truth? Of course not. It is the duty of a free press to tell the truth—especially when people in power would prefer that the American people be kept in the dark.

Think of the thousands of young people who might still be alive if the press had more carefully scrutinized the lies and distortions used to lead this nation to war in Iraq. Would we know about the illegal use of torture if the press hadn't uncovered it? Would we know that the government was spying on innocent citizens without a warrant?

No President should be able to cover up his wrongdoing just by declaring it "secret." That is what some here are suggesting. We are a great and free nation because the government can't put you in jail simply for telling the truth, and the government can't use its prisons to cover up its crimes.

A lawless President cannot hide behind the law. A cover-up Congress cannot complain if the truth gets out.

What sort of countries prosecute journalists? What sort of country hates free speech? Countries whose governments fear the truth. Stalin locked up journalists. So does China. Free nations do not. As Justice Brandeis wrote, "Publicity is justly commended as a remedy for social and industrial diseases. Sunlight is said to be the best of disinfectants."

Once again, the administration and its apologists tell us that this activity was legal and the leak helps the terrorists. How do we know this? Because they say so and tell us to trust them.

After six years of lies and cover-ups, of law breaking and leaking, this administration and the Republican Congress cannot be trusted.

Let's get the facts. I haven't seen them, and I don't think the members who will be voting today have either. We only know what we read in the papers.

The American people deserve better from their representatives. They deserve and demand the truth. Thank G-d we have a free press. Thank G-d we are still a free people. If the Republican Congress is afraid to get to the truth, someone else

will have to do it for them. For now, we have a free press. Perhaps next year we will have a Congress willing to assume its Constitutional duties now abandoned by the lap-dog Republican Congress.”

###